

GREETINGS FROM SENATOR LINDA EVANS PARLETTE

# Weekly E-mail Update

WASHINGTON STATE 12TH LEGISLATIVE DISTRICT



**March 17, 2005**

The Legislature reached a key point of the session yesterday at 5 p.m. That was the cutoff time for the House and Senate to pass bills that originated in either chamber. (The 2005-07 operating and transportation budget proposals are exempt from this cutoff.) With this deadline looming, my colleagues and I spent long hours each day on the Senate floor debating and voting on bills that were passed by Senate committees earlier this session. We also worked into the evening a few times over the past week.

With the floor cutoff now behind us, we've returned to "committee mode" to focus on bills passed by the House.

I'm returning home to Wenatchee tonight to prepare for a media tour that I'm conducting tomorrow throughout much of the 12<sup>th</sup> District. During this tour, I'll share my thoughts on session to date, as well as key bills that are dead or still alive.

## **ELECTION CHALLENGE UPDATE**

King County's election chief admitted on March 14 that 660 provisional ballots were tabulated in November without the required verification of voter eligibility. This bit of news came just days after King County Prosecuting Attorney Norm Maleng announced he has confirmed that 99 felons voted in King County without having their civil rights restored. Gregoire's margin of victory was only 129 votes.

## **ELECTION REFORM UPDATE**

Unfortunately, true election reform became a partisan issue. The following proposals were not approved by the Senate:

- ✓ Making all county auditors elected officials.
- ✓ Prohibiting ballot enhancements, which was introduced after people said they wanted to stop having elections workers change people's votes/ballots.
- ✓ Requiring teaching election information in high schools.
- ✓ Codifying provisional ballot rules into state law so there is uniform handling of provisional ballots.
- ✓ Requiring proof of citizenship when registering to vote.
- ✓ Adding a voter abstention check box.
- ✓ Checking addresses to mailbox businesses and challenging a voter's residency to make sure voters don't vote twice.
- ✓ Comparing voter rolls with agency databases to make sure there are clean voter rolls.
- ✓ Requiring a form of current photo ID as the only acceptable identification.
- ✓ Calling for an automatic revote if the vote count outnumbered voters by more than the margin of victory.

## **BUDGET TIDBITS...JUST THE FACTS**

Sen. Joe Zarelli, ranking Republican on the Ways and Means Committee, writes a weekly document about the state budget called "Budget Tidbits...just the facts." Here is a peek at this week's edition: **Washington's economy grows because of 2003-05 "No New Taxes Budget." Message is clear: The right thing for the economy is not to raise taxes.** For more information, go to [www.src.wa.gov](http://www.src.wa.gov) and click on "Budget Tidbits...just the facts, 11th Edition."

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## for Washington

### **I-601 TAX AND SPENDING LIMITATIONS ABANDONED**

*Senate Democrats this week approved a measure to make it easier to raise taxes and increase spending. Senate Bill 6078 passed on a straight party line vote with Republicans voting a solid “no.” Proposed tax increases now can be passed in the Senate with just 25 “yes” votes. Under current law, two-thirds majority approval in the House and Senate is required to pass a bill raising taxes. If SSB 6078 becomes law, it will take only a simple majority in each legislative chamber to pass a tax increase. Under the bill, the spending limit is now tied to growth in personal income rather than population growth and inflation – a much higher standard that will allow more spending.*

### **FAMILY LEAVE BILL CREATES NEW PAYROLL TAX**

The Senate approved a family leave insurance program that taxes employees two-cents-per-hour (\$41/year) and pays a benefit of \$250 a week for up to five weeks when an employee takes time off to care for a new-born, newly adopted child or sick family member. The program is mandatory for companies with 50 or more employees and optional for employers with fewer than 50 workers. Originally, this bill also taxed employers, but that provision was removed in committee. **Senate Bill 5069** is now before the House of Representatives for consideration.

### **EFFORT FAILS TO HOLD SCHOOL LEVY ELECTIONS IN NOVEMBER**

A bill to allow a simple majority vote for school levies was defeated in a Senate floor vote this week. The bill, **Senate Joint Resolution 8202**, is a constitutional amendment and requires a two-thirds vote of both the Senate and House to pass. Once approved by the Legislature, it would then have to go to the voters to decide. There was a Republican amendment to restrict school levy and bond measures to the November ballot to ensure people know there is an election. However, that amendment was not adopted. Because the proposal did not receive a two-thirds majority in the Senate, the bill failed. School levies and bonds are often run in a special election during February or March and many people are not even aware there is an election. The current 60 percent requirement for passage of a levy or bond protects property owners from being taxed without having a voice.

### **SENATE PASSES BILL PROVIDING FINANCIAL ASSISTANCE TO SMALL CITIES, COUNTIES**

The Senate yesterday voted 34-14 to pass a measure that I prime-sponsored that provides financial assistance to cash-strapped towns, cities and counties.

Engrossed Substitute Senate Bill 6050, which now goes to the House for consideration, uses a very small part of the real estate excise tax (REET). This tax is paid by citizens when a piece of real estate is purchased or sold. Some 91.3 percent of the REET goes into the state general fund, and 7.7 percent enters the Public Works Assistance Account (PWAA), which provides low-interest loans to local governments for domestic water, storm water, sewer and other infrastructure projects. The remaining 1 percent is kept for administration and collection. Out of this tax's 7.7 percent portion that now goes into the PWAA, ESSB 6050 would take 1.6 percent and dedicate it to local government financial assistance. This would translate into about \$20 million in the 2005-07 biennium, or \$10 million a year in financial help.

Many small communities and sparsely populated counties in Washington are facing tough times with their budgets. In fact, several city governments in my district are struggling to survive. This bill resolves the funding crisis for many local governments in Washington by using a revenue source that doesn't affect the state operating budget or raise taxes.

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#### **SENATE PASSES BILL CALLING FOR STUDY OF HEALTH SAVINGS ACCOUNTS**

The Senate last week voted 47-0 to pass a bill requiring the Public Employees Benefits Board (PEBB) to study options for offering health savings accounts along with qualifying high-deductible health plans to public

employees. The measure goes to the House for consideration. I am the prime-sponsor of Second Substitute Senate Bill 5202. The original bill required the PEBB to offer health savings accounts (HSAs) to public employees. The Senate Ways and Means removed this provision of the bill and replaced it with language calling for a study of HSAs, with the results required to be submitted to the Legislature by Dec. 1, 2005.

#### **REGULATORY REFORM MEASURE HELPS SMALL BUSINESSES**

The Senate unanimously approved a bill to improve the regulatory climate for small companies in Washington. The measure, **Senate Bill 5730** requires agencies to consider a number of methods of reducing the impact of a proposed rule on a small business. The bill also improves notification requirements when a proposed rule will impact a small business. The Joint Legislative Rules Review Committee is directed to establish a small business advisory board. SB 5730 is now before the House of Representatives for consideration.

#### **SENATE BOOSTS PROTECTION OF SCHOOLCHILDREN FROM PREDATORY TEACHERS**

The Senate unanimously approved a measure to revoke a teacher's certificate if he or she intentionally views sexually explicit material on school grounds. Under this proposed new law, the Superintendent of Public Instruction must suspend or revoke a teacher's certificate on the first offense and must permanently revoke the certificate for a second offense. This proposal is the result of a teacher who resigned from a teaching job after being reported for viewing pornography on his school computer and subsequently went to work for another school district where he engaged in sexual misconduct with a 14-year-old female student. This important step to protect children is now part of **Senate Bill 5983**, a measure to improve the professional certification process for teachers. This bill is now before the House of Representatives for consideration.

#### **SOLAR ENERGY MANUFACTURERS TO GET TAX BREAKS**

Under a bill approved by the Senate this week, manufacturers of solar energy systems may qualify for a sales tax break on new construction; a use tax break on personal property; a business and occupation tax credit for each full-time production line job; and a property tax break on machinery and equipment. Washington is still 52 percent reliant on hydropower. Incentives to diversify will help us overcome that reliance, along with keeping and creating good-paying manufacturing jobs, mostly in rural areas of the state where jobs are needed. **Senate Bill 5111** is now before the House of Representatives for consideration.

#### **STATE TRANSPORTATION SECRETARY TO BE APPOINTED BY GOVERNOR**

Under a measure approved by the Senate this week, the Secretary of Transportation will be appointed by the governor instead of the Washington Transportation Commission – an appointed body that now chooses the person to lead the state transportation department. This makes the head of transportation in Washington accountable to an elected official who is accountable to the voters. **Senate Bill 5513** also expands the role of the commission to serve as a public forum for transportation policy development and creates the Transportation Policy Institute (TPI) within the commission to conduct research, prepare studies and submit recommendations to the Legislature. This bill is now before the House of Representatives for consideration.

#### **SENATE APPROVES LIFE SCIENCES DISCOVERY FUND**

Under **Senate Bill 5581**, grants will be provided to spur biomedical and bioscience research at the University of Washington, Washington State University and the Pacific Northwest National Laboratory in Richland, Washington. The Life Sciences Discovery Fund will initially draw money from the tobacco settlement to attract private investments and greater federal funding. This type of strategic investment would use state funds to leverage up to \$1 billion in total investment funds and attract more top life-science researchers to Washington. This measure is now before the House of Representatives for consideration.

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## **SENATE APPROVES BILL TO INCREASE ACCESS TO PRIVATE LANDS FOR FISH AND WILDLIFE-RELATED RECREATIONAL ACCESS**

Under **Senate Bill 5234**, a surcharge of \$5.00 will be added to big and small game hunting licenses to allow the Department of Fish and Wildlife to furnish money, materials or labor under agreements with private landowners to improve public access. This bill is now before the House of Representatives.

## **AUTOMATED TRAFFIC CAMERAS NEW TOOL TO HELP LOCAL LAW ENFORCEMENT AGENCIES UNDER BUDGET CONSTRAINTS**

A bill to allow local governments to use automated traffic cameras passed the Senate this week, but not without controversy. These cameras may only be used to detect stoplight violations, railroad crossing violations and school speed zone violations. Signs must be posted warning drivers that the cameras are being used. The cameras must be positioned so that only the vehicle and vehicle license plate, not the driver or passengers, are photographed. Infractions issued for violations caught by the cameras may not become part of the registered owner's driving record. While the use of cameras may free up a police officer's time, these cameras still pose a threat to privacy and raise constitutional concerns for many legislators. **Senate Bill 5060** is now before the House of Representatives for consideration.

## **SENATE PASSES BILL TO ASSESS LONG-TERM AVIATION NEEDS IN WASHINGTON**

Under **Senate Bill 5121**, the Aviation Division of the Washington State Department of Transportation is directed to conduct a statewide airport capacity and facilities assessment. In particular, Paine Field in Everett will be evaluated for its viability as an option for taking some of the burden off Sea-Tac Airport. The future of commercial aviation service in Washington includes more point-to-point services, smaller airplanes with greater fuel efficiencies and increased local services to meet customer demands. This measure is now before the House of Representatives.

## **OFFICIAL DECLARATION OF DROUGHT IMMEDIATELY ACTIVATES SEVERAL TOOLS**

The emergency drought declaration, by law, immediately activates several **tools** the Department of Ecology can use **to ease the impacts of the drought**:

- ✓ Expedited emergency water right transfers (15 days from date of application)
- ✓ Expedited (15 days) temporary permits to access emergency wells and dead storage to maintain established uses (priority permit processing for domestic and irrigation supplies and cannot impair other rights, fisheries, power or navigation)
- ✓ Grants and loans to assist the maintenance of agriculture water supplies, community water supplies and stream flows. This funding can be used to purchase water rights and/or pay for emergency infrastructure to access water.

### **The governor has also requested the following:**

The Emergency Drought Committee to function like an emergency command center, tracking and coordinating response efforts by state agencies and ensuring resources are getting where they are most needed;

The departments of Agriculture, Health, and Fish and Wildlife to work closely with Ecology to identify where actions or investments need to be made to address water shortages;

The Washington Conservation Commission to work with local conservation districts and individual farmers to conserve and deliver irrigation water more efficiently; and

The National Guard to prepare to support fire-fighting efforts.

Two bills were introduced to ease the impacts of the 2005 drought emergency on families and farmers across the state. **Senate Bill 6084** eliminates the "extent and validity" test for water rights transfers during a drought emergency so people who willingly transfer their water to help others won't risk losing their water right under the state's "use-it-or-lose-it" provision. **Senate Bill 6086** allows people to retrofit their domestic wells to provide water for agricultural purposes during a drought emergency. Both of these measures are in the Senate Water, Energy and Environment Committee.

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**Eastern Washington dust storms more likely with drought**

Thanks to the drought, Eastern Washington is more likely to experience dust storms this year and the season may start about a month earlier than usual. Dust storms stir up tiny particles that can irritate or damage sensitive lung tissues. People with respiratory illnesses, the elderly, young children, pregnant women and anyone engaged in strenuous physical activity outdoors are most at risk.

Most of the blowing dust from agriculture comes from summer fallow (land that is not planted) or newly-planted winter wheat fields that lack sufficient surface residue and soil clods. Farmers can reduce dust storms by reducing the amount of tillage done on the fields and using tillage tools that leave crop stubble on the ground and an uneven surface to slow the wind. Non-farm residents can help reduce airborne dust by driving slower on unpaved roads and by postponing dusty projects around the house and yard until a less windy time.

Dust control is required for all construction projects. Control measures include clearing no more land than necessary, working in phases to minimize the amount of exposed land area, using a commercial dust suppressant to replace or reduce the use of water, covering bare ground with gravel and curtailing activities on windy days.

More information about preventing dust storms is available online at <http://www.ecy.wa.gov> (search on "dust"). Real-time air-quality data are available online for most counties at <https://fortress.wa.gov/ecy/aqp/Public/databyarea.shtml>. For residents of Spokane County, air-quality data also are available at <http://www.SCAPCA.org>.

That wraps it up for this week. I appreciate your feedback. See you next week!

*Legislative toll free hotline: 1-800-562-6000*

*TTY: 1-800-635-9993*

*Senate Republican Web site: [www.src.wa.gov](http://www.src.wa.gov)*

*Legislature's Web site: <http://www1.leg.wa.gov/legislature>*